

METROPOLITAN EXPOSITION-RECREATION COMMISSION

Resolution 99-28

Adopts the policy that overtime-exempt employees will deduct personal absences in excess of four hours from accrued leave balances, and directs the General Manager to implement said policy.

The Metropolitan Exposition-Recreation Commission finds:

1. The public trust requires the public accountability of government employees, and employees should use accrued leave (including leave without pay) when they are absent from the workplace.
2. Many Commission employees are classified as overtime-exempt under state and federal law.
3. Reasonable flexibility in working hours for overtime-exempt employees is appropriate because such employees frequently work outside the normal forty-hour work week, and do not receive extra compensation or overtime pay.
4. The Commission desires to adopt a leave policy which promotes both public accountability and workplace efficiency on the part of overtime-exempt employees.

BE IT THEREFORE RESOLVED that it is the policy of the Commission that overtime exempt employees shall use accrued leave for workplace absences of more than four hours in a work day; and

BE IT FURTHER RESOLVED that the General Manager is directed to develop specific workplace rules implementing said policy on behalf of the Commission.

Passed by the Commission on May 19, 1999.



Chair



Secretary-Treasurer

APPROVED AS TO FORM:

Daniel B. Cooper, General Counsel

By: 
Kathleen Pool, Senior Assistant Counsel

MERC STAFF REPORT

Agenda Item:

Resolution No.: 99-28

Date: May 19, 1999

Presented by: David Biedermann

Background Analysis: The Metropolitan Exposition-Recreation Commission, as a department of Metro, operates under Metro personnel policies unless specific MERC policies exist.

Metro has a policy that exempt employees do not record use of vacation or personal time of less than eight (8) hours. The effect of this is that exempt employees can be on authorized personal business for up to eight hours and no deduction from accrued leave balances occurs. Most exempt employees work more than the standard 40-hour week, thus balancing the use of personal time. However, it is possible an employee could be absent from work for less than 8 hours a day numerous times during a pay period, and no change in leave balances would occur. The potential effect is that an exempt employee could be paid their salary while significantly less than a full week is worked.

This policy will lower for MERC the accounting threshold for use of personal, vacation or sick leave time to 4 hours or greater for full-time employees and 2 hours for part-time employees. Use of less than 4 hours and the balance of work time is considered a performance issue between the exempt employee and the supervisor. The supervisor may require the employee to "flex" the time, meaning work an equivalent amount during the pay period to match the personal use. Tracking of that time will be a management responsibility.

This resolution delegates to the General Manager the authority to manage the level of personal leave deduction in the payroll system by exempt employees to ensure appropriate and proper use of public funds and the work product that results.

Fiscal Impact: Vacation and personal leave balances, which are a fiscal liability in that they are payable to the employee upon termination, will decrease through deduction in time keeping. There is no increase in salaries, wages or benefits.

Recommendation: Passage of the proposed resolution.